

FEB. 21. 2007 2:45PM

FOLEY 8587926773

NO. 6804 P. 1



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| United States Patent and Trademark Office Mail Stop Amendment Examiner: Duffy, Bradley Art Unit: 1643 | | 571-273-8300 |

From : Barry S. Wilson

Email Address : bwilson@foley.com

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Date : February 21, 2007

Client/Matter No : 047630-0201

User ID No : 3067

U.S. Application No.: 10/722,849

Docket No.: 047630-0201

MESSAGE:

Please find enclosed:

Transmittal (3 pages);

Response to Restriction Requirement (2 pages);

Credit Card Payment Form.

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OLMR_283108.1

PAGE 1/7 * RCVD AT 2/21/2007 5:51:11 PM [Eastern Standard Time] * SVR:USPTO-EFAXRF-1/19 * DNIS:2738300 * CSID: * DURATION (mm-ss):01-56

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NO. 6804 P. 2

FEB 21 2007

Atty. Dkt. No. 047630-0201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ma et al.

Title: ANTIBODIES SPECIFIC FOR
CANCER ASSOCIATED
ANTIGEN SM5-1 AND USES
THEREOF

Appl. No.: 10/722,849

Filing Date: 11/26/2003

Examiner: Duffy, Bradley

Art Unit: 1643

Conf. No.: 8161

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| CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Vanessa E. Agha (Printed Name) <i>Vanessa E. Agha</i> (Signature) February 21, 2007 (Date of Deposit) |
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AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ [X] Response to Restriction Requirement (2 pages).

☒ [X] Credit Card Payment Form.

☒ [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

DLMR_300468.1

-1-

FEB 21 2007

Atty. Dkt. No. 047630-0201

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| <input type="checkbox"/> | Extension for response filed within the first month: | \$120.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$450.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$1,020.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,590.00 | \$0.00 |
| <input checked="" type="checkbox"/> | Extension for response filed within the fifth month: | \$2,160.00 | \$2,160.00 |
| EXTENSION FEE TOTAL: | | | \$0.00 |
| <input type="checkbox"/> | Statutory Disclaimer Fee under 37 C.F.R. 1.20(d): | \$130.00 | \$0.00 |
| CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: | | | \$2,160.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract 1/2 of above): | | \$1,080.00 |
| TOTAL FEE: | | | \$1,080.00 |

☒ A credit card payment form in the amount of \$1,080.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 047630-0201

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 02/21/2007By Barry Wilson

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

Richard Warburg, Reg. No. 32,327
By Barry S. Wilson, Reg. No. 39,431
Attorney for Applicant

FEB 21 2007

PATENT
Docket No. 047630-0201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ma et al.
Title: ANTIBODIES SPECIFIC FOR
CANCER ASSOCIATED
ANTIGEN SM5-1 AND USES
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| <i>Vanessa E. Agha</i> (Printed Name) |
| <i>Vanessa E. Agha</i> (Signature) |
| <i>February 21, 2007</i> (Date of Deposit) |

RESPONSE TO A RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed August 22, 2006, Applicants hereby provisionally elect Group 1, Claims 1-12, 35-38, 63-66 and 73-74, which the Examiner indicates is drawn to antibodies or antibody fragments that inhibit the binding of a SM5-1 specific monoclonal antibody and/or bind specifically to a SM5-1 target antigen, classified in class 530, subclass 387.1.

No fee is believed due with this filing, however, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16 1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to

DLMR_300470.1

PATENT
Docket No. 047630-0201

charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date 02/21/2007

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